

JUDGE STEIN

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

JOSE MIGUEL RODRIGUEZ,  
a/k/a "Miguel,"

Defendant.

INFORMATION

07 Cr. \_\_\_\_\_

07 CRIM. 438

COUNT ONE

The United States Attorney charges:

1. Between in or about November 2005 and in or about February 2007, in the Southern District of New York and elsewhere, JOSE MIGUEL RODRIGUEZ, a/k/a "Miguel," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and object of the conspiracy that JOSE MIGUEL RODRIGUEZ, a/k/a "Miguel," the defendant, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 5 kilograms and more of mixtures and substances containing a detectable amount of cocaine, in violation of Sections 812, 841(a)(1) and 841(b)(1)(A) of Title 21 of the United States Code.

(Title 21, United States Code, Section 846.)

**FORFEITURE ALLEGATION AS TO COUNT ONE**

3. As a result of committing the controlled substance offense alleged in Count One of this Information, JOSE MIGUEL RODRIGUEZ, a/k/a "Miguel," the defendant, shall forfeit to the United States pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendant obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Information, including but not limited to a sum of money equal to approximately \$1 million in United States Currency, representing the amount of proceeds obtained as a result of the controlled substance offense for which the defendants are liable.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
  - b. has been transferred or sold to, or deposited with, a third person;
  - c. has been placed beyond the jurisdiction of the Court;
  - d. has been substantially diminished in value;
- or
- e. has been commingled with other property which

cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1) and 853.)

A handwritten signature in black ink, reading "Michael J. Garcia", written over a horizontal line.

MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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(21 U.S.C. § 846)

MICHAEL J. GARCIA  
United States Attorney.

\* Filed Waiver of Indictment & Information.  
Deft. arraigned. and Plead Not Guilty.  
Time excluded on consent between  
May 15, 2007 and June 8, 2007.

Pitman  
U.S. M. J.

5-18-07

